

Commission¹ and served on: Robert J. Cooney, Norfolk Southern Corporation, 3 Commercial Place, Norfolk, VA 23510-2191.

As a condition to the use of this exemption, any employees adversely affected by the trackage rights will be protected under *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980).

Dated: December 29, 1995.

By the Commission, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams,
Secretary.

[FR Doc. 96-153 Filed 1-4-96; 8:45 am]

BILLING CODE 7035-01-P

[Finance Docket No. 32747]

Raymond L. Ortman—Continuance in Control Exemption—Winamac Southern Railway Company, Inc.

AGENCY: Interstate Commerce Commission.

ACTION: Notice of exemption.

SUMMARY: The Commission under 49 U.S.C. 10505 exempts from the prior approval requirements of 49 U.S.C. 11343-44 the continuance in control by Raymond L. Ortman of the Winamac Southern Railway Company, Inc. (WSR), subject to standard labor protective conditions. The petition for exemption was filed because of the Ortman family interests in Kokomo Grain Company and Central Properties, Incorporated, which controls Central Railroad Company of Indianapolis and Central Railroad Company of Indiana. In order to insulate himself from unauthorized control during the pendency of this proceeding, Mr. Ortman placed all of his shares of WSR stock into an independent voting trust.

DATES: This exemption will be effective on February 4, 1996. Petitions to stay must be filed by January 16, 1996. Petitions to reopen must be filed by January 25, 1996.

ADDRESSES: Send pleadings, referring to Finance Docket No. 32747 to: (1) Office of the Secretary, Case Control Branch, Interstate Commerce Commission,¹ 1201

Constitution Avenue, N.W., Washington, DC 20423; and (2) Thomas F. McFarland, Jr., 20 North Wacker Drive, Suite 3118, Chicago, IL 60606-3101.

FOR FURTHER INFORMATION CONTACT: Joseph H. Dettmar, (202) 927-5660. [TDD for the hearing impaired: (202) 927-5721.]

SUPPLEMENTARY INFORMATION:

Additional information is contained in the Commission's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: DC NEWS & DATA, INC., Room 2229, Interstate Commerce Commission Building, 1201 Constitution Avenue, N.W., Washington, DC 20423. Telephone: (202) 289-4357/4359. [Assistance for the hearing impaired is available through TDD services at (202) 927-5721.]

Decided: December 27, 1995.

By the Commission, Chairman Morgan, Vice Chairman Owen, and Commissioner Simmons.

Vernon A. Williams,
Secretary.

[FR Doc. 96-154 Filed 1-4-96; 8:45 am]

BILLING CODE 7035-01-P

[Finance Docket No. 32766]¹

Portland & Western Railroad, Inc.—Lease and Operation Exemption—Burlington Northern Railroad Company

AGENCY: Interstate Commerce Commission.

ACTION: Notice of exemption.

SUMMARY: Under 49 U.S.C. 10505, the Commission exempts Portland & Western Railroad, Inc. (PNWR) from the prior approval requirements of 49 U.S.C. 11343-45 to lease from Burlington Northern Railroad Company (BN) and operate five branch lines totaling approximately 52.94 miles of railroad in Oregon,² specifically: (1) 1.96 miles between BN milepost 16.87 near Bowers Junction and BN milepost 18.83 near Bendemeer; (2) 10.77 miles between BN milepost 17.07 at Bowers Junction and BN milepost 27.84 near Banks; (3) 5.60 miles between BN milepost 4.68 near Hillsboro and BN milepost 10.28 near Forest Grove; (4) 1.19 miles between BN milepost 25.52 near St. Marys Junction and BN milepost 26.71 near St. Marys;

and (5) 33.42 miles between BN milepost 31.28 near Greton and BN milepost 64.70 near Hopmere, subject to the standard employee protective conditions.

DATES: The exemption is effective on February 4, 1996. Petitions to stay must be filed by January 22, 1996. Petitions to reopen must be filed by January 30, 1996.

ADDRESSES: Send pleadings referring to Finance Docket No. 32766 to: (1) Office of the Secretary, Case Control Branch, Interstate Commerce Commission,³ 1201 Constitution Avenue, NW., Washington, DC 20423; and (2) Eric M. Hocky, P.O. Box 796, 213 West Miner St., West Chester, PA 19381-0796.

FOR FURTHER INFORMATION CONTACT: Joseph H. Dettmar, (202) 927-5660. [TDD for the hearing impaired: (202) 927-5721.]

SUPPLEMENTARY INFORMATION:

Additional information is contained in the Commission's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: DC NEWS & DATA, INC., Room 2229, Interstate Commerce Commission Building, 1201 Constitution Avenue, NW., Washington, DC 20423. Telephone: (202) 289-4357. [Assistance for the hearing impaired is available through TDD services (202) 927-5721.]

Decided: December 27, 1995.

By the Commission, Chairman Morgan, Vice Chairman Owen, and Commissioner Simmons.

Vernon A. Williams,
Secretary.

[FR Doc. 96-155 Filed 1-4-96; 8:45 am]

BILLING CODE 7035-01-P

[Docket No. AB-32 (Sub-No. 64X)]

Boston and Maine Corporation—Abandonment Exemption—Rensselaer County, NY¹

Boston and Maine Corporation (B&M) has filed a verified notice under 49 CFR Part 1152 Subpart F—*Exempt Abandonments* to abandon the 5.04-mile Bennington Branch line between

³ Legislation to sunset the Commission on December 31, 1995, and transfer remaining functions is currently under consideration. Until further notice, parties submitting pleadings should continue to use the current name and address.

¹ The notice of exemption published October 25, 1995 (60 FR 54706) did not provide adequate notice of the proposed abandonment (the abandoning railroad was inadvertently identified as CSX Transportation, Inc.). The defect in the notice prevented the exemption from taking effect as originally scheduled. This notice corrects the ministerial error.

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¹ Legislation to sunset the Commission on December 31, 1995, and transfer remaining functions is currently under consideration. Until further notice, parties submitting pleadings should continue to use the current name and address.

¹ This proceeding is related to *Portland & Western Railroad, Inc.—Trackage Rights Exemption—Burlington Northern Railroad Company*, Finance Docket No. 32765 (ICC served Oct. 13, 1995; 60 FR 53434).

² BN is also assigning to PNWR 4.2 miles of overhead trackage rights over a line of Port of Tillamook Bay Railroad between Banks and Schefflin that are necessary to connect the BN lines.